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Report of the Human Rights Council

Programme budget for the biennium 2008-2009

Revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its ninth session

Report of the Secretary-General

Summary

The expenditure requirements resulting from resolutions and decisions adopted by the Human Rights Council at its ninth session, held in 2008, contained in its report to the General Assembly in document A/63/53/Add.1, are estimated at $2,149,300 for the biennium 2008-2009. Of that amount, provisions in the amount of $1,681,700 relating to activities of a "perennial nature" have already been made in the programme budget for 2008-2009. The balance of the requirements, estimated at $467,600, which are considered as additional requirements, will be accommodated to the extent possible within the existing appropriations for the biennium 2008-2009.

At the request of the Human Rights Council in its decision 9/103, the Secretary-General is hereby informing the General Assembly that the total financial requirements arising from the implementation of the activities contained in the decision are estimated at $6,137,700 (gross), or $5,898,300 net of staff assessment, with an amount of $239,400 to be offset by an equivalent amount under income from staff assessment. However, it should be noted that those requirements were presented in the statement of programme budget implications submitted in accordance with rule 153 of rules of procedure of the General Assembly of draft resolution A/C.3/63/L.57/Rev.1 (A/C.3/63/L.77). Following the oral revision of draft resolution A/C.3/63/L.57/Rev.1 prior to its adoption, by which the word "endorses" was replaced by the word "acknowledges", the Secretariat expressed its understanding at the time that it was the intent of the Third Committee to recommend to the Assembly that it not support the recommendations of the Human Rights Council contained in its report (A/63/53/Add.1). Accordingly, the statement of programme budget implications (A/C.3/63/L.77) was withdrawn.

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I. Introduction

1. The present report relates to the recommendations of the Human Rights Council resulting from resolutions and decisions adopted by the Council at its ninth session, held in September 2008 (see A/63/53/Add.1).

2. The Council adopted a number of resolutions and decisions at its ninth session by which it authorized relevant human rights bodies and special procedures to continue or undertake additional activities, including meetings, in excess of the resources approved in the 2008-2009 programme budget. In accordance with rule 153 of the rules of procedure of the General Assembly, the Council was provided, where appropriate, with a statement of programme budget implications prior to the adoption of the resolutions and decisions.

3. A summary of requirements resulting from resolutions and decisions adopted by the Human Rights Council at its ninth session is provided in annex I. It should be noted that the implementation of activities of a "perennial nature" called for in resolutions 9/1, 9/3, 9/14, 9/15, 9/17 and 9/19, as well as president's statement PRST/9/1, would require an amount of $1,681,700. This amount has been provided for in the programme budget for the biennium 2008-2009. Regarding resolutions 9/2, 9/3, 9/7, 9/18 and decision 9/101, no provision has been made in the programme budget for the additional requirements of $467,600. However, those requirements will be absorbed to the extent possible and will be addressed in the context of the second performance report for the biennium 2008-2009.

4. In its decision 9/103, the Human Rights Council requested the Secretary-General to submit to the General Assembly during the main part of its sixty-third session a report with details of the resources required to ensure the provision of necessary services indicated in the report of the Office of the United Nations High Commissioner for Human Rights (OHCHR) (A/HRC/9/18) and recommended that the Assembly ensure the establishment of an Office of the President of the Human Rights Council, with adequate staffing resources. It should be noted that the requirements were presented to the Third Committee in the statement of the programme budget implications of draft resolution A/C.3/63/L.57/Rev.1 (A/C.3/63/L.77). Prior to the adoption of the draft resolution by the Third Committee, a revision was made whereby the word "endorses" was replaced by the word "acknowledges". Consequently, the Secretariat expressed its understanding that it was the intent of the Third Committee to recommend to the Assembly that it not support the recommendations contained in the report of the Human Rights Council (A/63/53/Add.1). On that basis, the statement of programme budget implications (A/C.3/63/L.77) was withdrawn. The draft resolution was subsequently adopted as orally revised.

5. With regard to resolutions 9/1 and 9/3, the attention of the Human Rights Council was drawn to the provisions of section VI of General Assembly resolution 45/248 B and subsequent resolutions, the most recent of which is resolution 62/236, in which the Assembly reaffirmed that the Fifth Committee was the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters and reaffirmed the role of the Advisory Committee on Administrative and Budgetary Questions.

6. The Secretary-General has made proposals on the treatment of additional requirements arising from resolutions and decisions adopted by the Human Rights

Council (see A/63/541). Upon a decision of the General Assembly on those proposals, it is considered that all such subsequent reports will be prepared in accordance with that procedure.

II. Additional requirements relating to the resolutions and decisions adopted by the Human Rights Council at its ninth session

A. Resolution 9/2: Human rights and international solidarity

7. In operative paragraph 9 of its resolution 9/2, the Council requested the Human Rights Council Advisory Committee to prepare inputs to contribute to the elaboration of the draft declaration on the right of peoples and individuals to international solidarity and to the further development of guidelines, standards, norms and principles with a view to promoting and protecting that right.

8. Estimated additional requirements of $33,500 would provide for: (a) a consultant to assist the Advisory Committee in the preparation of inputs to contribute to the elaboration of the draft declaration; and (b) travel for two working days to present the working paper at the annual meeting of the Advisory Committee.

9. Although the additional requirements relating to operative paragraph 9 have not been included in the programme budget for the biennium 2008-2009, every effort will be made to meet them from the resources provided under section 23, Human rights. An additional appropriation is therefore not required.

B. Resolution 9/3: The right to development

10. In operative paragraph 2 (b) of its resolution 9/3, the Human Rights Council decided to endorse the workplan for the task force for the period 2008-2010, outlined in paragraph 43 of the report of the Working Group on the Right to Development (A/HRC/9/17), which would ensure that the criteria for the periodic evaluation of global partnerships, as identified in millennium development goal 8, to be submitted by the task force to the Working Group at its eleventh session in 2010, is extended to other components of millennium development goal 8.

11. The provisions of operative paragraph 2 (b) give rise to additional requirements under section 23, Human rights, of $235,800, to implement the mandate. No provision has been made under the programme budget for the biennium 2008-2009 to cover general temporary assistance for the provision of additional secretarial support to the task force and consultants for the preparation of various studies and for various technical missions required for the implementation of operative paragraph 2 (b). Every effort will be made to meet the estimated requirements of $235,800 from the resources available under section 23, Human rights. Thus, an additional appropriation is not required for the biennium 2008-2009 in connection with the adoption of the resolution.

C. Resolution 9/7: Human rights and indigenous peoples

12. In operative paragraph 5 of its resolution 9/7, the Human Rights Council requested the expert mechanism on the rights of indigenous peoples to prepare a study on lessons learned and challenges in implementing the right of indigenous peoples to education and to conclude it in 2009.

13. The provisions of operative paragraph 5 give rise to estimated additional requirements of $38,900 for general temporary assistance at the P-3 level, for three months, to undertake relevant research and analysis.

14. Although those resources were not included in the programme budget for the biennium 2008-2009, every effort will be made to meet them from the provisions provided under section 23, Human rights. Thus, no additional appropriation is required in connection with the adoption of the resolution.

D. Resolution 9/14: Mandate of the Working Group of Experts on People of African Descent

15. In operative paragraphs 7 and 8 (f) (ii) of its resolution 9/14, the Human Rights Council:

(a) Requested OHCHR to compile a series of best practices in areas such as access to housing, education, health, employment and institutional and legal frameworks pertaining to Africans and people of African descent;

(b) Decided to extend the mandate of the Working Group for three years, to meet for two sessions of five working days each in closed and public meetings, to design special projects, in collaboration with people of African descent, to support their initiatives at the community level and to facilitate the exchange of information and technical know-how between these populations and experts in these areas.

16. The implementation of those paragraphs would require an additional amount of $42,000 for consultancies in 2009. Although this amount has not been included in the programme budget for the biennium 2008-2009, every effort will be made to accommodate the requirements from the approved appropriation for the biennium 2008-2009 under section 23, Human rights.

E. Resolution 9/18: Follow-up to resolution S-3/1: human rights violations emanating from Israeli military incursions in the Occupied Palestinian Territory and the shelling of Beit Hanoun

17. Under operative paragraphs 1, 2 and 3 of resolution 9/18, the Human Rights Council:

(a) Welcomed the report of the high-level fact-finding mission on Beit Hanoun (A/HRC/9/26);

(b) Called upon all concerned parties to ensure the full and immediate implementation of the recommendations of the fact-finding mission contained in its report;

(c) Recommended that the General Assembly consider the report with the participation of the members of the mission.

18. The provisions of those paragraphs give rise to additional requirements of $25,100 to provide for the travel of two experts, one assistant to the expert and one staff member of the Office of the High Commissioner.

19. Although the additional requirements are not included in the programme budget for the biennium 2008-2009, every effort will be made to accommodate the requirements from the resources provided under section 23, Human rights. Thus, no additional appropriation is required.

F. Decision 9/101: Missing persons

20. In decision 9/101, the Human Rights Council requested the Advisory Committee to prepare a study on best practices on the matter of missing persons and to submit that study to the Council at its twelfth session.

21. The adoption of the decision by the Council gives rise to additional requirements of $92,300 to provide for general temporary assistance at the P-4 level for six months to carry out research, which has not been included under section 23, Human rights, of the programme budget for the biennium 2008-2009.

22. Additional resources are not requested at this time, however, as the Secretariat will seek to identify areas from which resources can be redeployed to meet the requirements from the appropriation approved for section 23, Human rights, for 2008-2009.

G. Decision 9/103: Strengthening of the Human Rights Council

23. In operative paragraphs 1 to 5 of decision 9/103, the Human Rights Council:

(a) Took note of the report of OHCHR on conference facilities and financial support for the Council (A/HRC/9/18) submitted pursuant to Council resolution 8/1;

(b) Took note of the assessment of the Division of Conference Management at the United Nations Office at Geneva on the situation relating to the submission of documents to the Council, including those of the universal periodic review, and in particular the delays in the translation of documents into the six languages of the United Nations and the assessment of the Department of Public Information regarding the information-servicing requirements of the Council, including the webcasting of all proceedings of its working groups, taking into account the principles of transparency, equal treatment and non-selectivity;

(c) Requested the Secretary-General to submit to the General Assembly during the main part of its sixty-third session a report with details of the resources required to ensure the provision of necessary services indicated in the report of the Office of the High Commissioner (A/HRC/9/18);

(d) Decided to recommend that the General Assembly ensure the establishment of an Office of the President of the Human Rights Council, with adequate staffing resources, including the provision of necessary equipment;

(e) Requested the United Nations Office at Geneva to ensure that the facilities for the President be in the immediate vicinity of the conference room used by the Council.

24. In view of the circumstances set out in paragraph 4 above, the requirements relating to the implementation of Human Rights Council decision 9/103, as submitted to the Third Committee in document A/C.3/63/L.77 are summarized in annex II to the present report. It should be noted, however, that with regard to the conference-servicing and information-servicing capacity of the United Nations Office at Geneva, the continuing and growing call for servicing of Human Rights Council activities places considerable strain on the capacity of the Office.

III. Conclusions and action required by the General Assembly

25. As shown in annex I, the implications of the resolutions and decisions adopted by the Human Rights Council at its ninth session in 2008 give rise to total requirements of $2,149,300. Of this total, an estimated amount of $1,681,700 will be met from the resources already appropriated under the programme budget for the biennium 2008-2009 for activities of a perennial nature, and it is anticipated that, to the extent possible, an amount estimated at $467,600 will be accommodated from the existing appropriation and, as necessary, reported in the context of the second performance report for the biennium 2008-2009.

26. With regard to the resource requirements relating to decision 9/103, as detailed in paragraph 4 above, the requirements were presented to the Assembly in the statement of programme budget implications contained in document A/C.3/63/L.77, which was withdrawn by the Secretary-General based on the oral amendments made prior to the adoption of draft resolution A/C.3/63/L.57. The draft resolution was adopted by the Third Committee as orally revised.

27. **The General Assembly is requested to approve the additional requirements of $467,600 under sections 2, 23 and 28E of the programme budget for the biennium 2008-2009, as summarized in annex I, to be met from the resources appropriated under the programme budget for the biennium 2008-2009 and to authorize the Secretary-General to report as necessary in the context of the second performance report of the programme budget for the biennium 2008-2009.**

Annex I

Table 1

Summary of requirements resulting from resolutions and decisions of the Human Rights Council at its ninth session, excluding decision 9/103

(Thousands of United States dollars)

		2008-2009			
		Budget section	*Requirements*	*Existing provision in the programme budget*	*Requirements to be accommodated within the existing appropriation*[a]
	Human Rights council resolutions				
9/1	Mandate of the Special Rapporteur on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights	23	116.8	116.8	—
9/2	Human rights and international solidarity	23	33.5	—	33.5
9/3	The right to development	2	279.0	279.0	—
		23	368.0	132.2	235.8
		28E	6.0	6.0	—
9/7	Human rights and indigenous peoples	23	38.9	—	38.9
9/11	Right to the truth	2	—	—	—
		23	—	—	—
		28E	—	—	—
9/14	Mandate of the Working Group of Experts on People of African Descent	2	519.2	519.2	—
		23	297.2	255.2	42.0
		28E	14.0	14.0	—
9/15	Advisory services and technical assistance for Cambodia	23	106.4	106.4	—
9/17	Situation of human rights in the Sudan	23	102.6	102.6	—
9/18	Follow-up to resolution S-3/1: human rights violations emanating from Israeli military incursions in the Occupied Palestinian Territory and the shelling of Beit Hanoun	23	25.1	—	25.1
9/19	Advisory services and technical assistance for Burundi	23	97.6	97.6	—
	Human Rights Council decision				
9/101	Missing persons	23	92.3	—	92.3
	President's statement				
PRST/9/1	Situation of human rights in Haiti	23	52.7	52.7	—
	Total		**2 149.3**	**1 681.7**	**467.6**

[a] And to be reported in the context of the second performance report.

Table 2

Summary of requirements resulting from Human Rights Council decision 9/103

(Thousands of United States dollars)

	Human Rights Council decisions	*Budget section*	*Requirements*
9/103	Strengthening of the Human Rights Council	2	4 944.2
		23	392.7
		27	221.9
		28E	339.5
		35	239.4
		IS1	(239.4)
	Total		**5 898.3**

Annex II

Requirements relating to decision 9/103: Strengthening of the Human Rights Council

1. The following information was provided to the Third Committee when it was to take a decision on draft resolution A/C.3/63/L.57. Because of oral revisions made to the draft resolution, the associated statement of programme budget implications (A/C.3/63/L.77) was withdrawn.

2. The present annex is provided to ensure completeness of information relating to the activities of the Human Rights Council at its ninth session.

3. In its report on conference facilities and financial support for the Council (A/HRC/9/18), submitted pursuant to Council resolution 8/1, the Office of the Untied Nations High Commissioner for Human Rights (OHCHR) informed the Council that additional staff resources, provisionally estimated at approximately $7.5 million per year, would be required to ensure the appropriate level of conference support required by the Council, including requirements for additional infrastructure and webcasting. Following the further review and analysis of the additional resource requirements, the amount has been revised to $6,137,700 (gross), to be offset by an amount of $239,400 for staff assessment, or $5,898,300 (net), for the programme budget for the biennium 2008-2009.

4. The resources required are summarized in tables 1 to 3 and explained in the relevant sections below.

Table 1
Estimated additional requirements for the biennium 2008-2009 by budget section

(Thousands of United States dollars)

Budget section	*Initial appropriation*	*Additional requirements*	*Revised estimate*	*Additional post requirements*
2. General Assembly and Economic and Social Council affairs and conference management	629 339.8	4 944.2	634 284.0	13
23. Human rights	116 938.4	392.7	117 331.1	
27. Public information	184 000.5	221.9	184 222.4	1
28E. Administration, Geneva	112 185.0	339.5	112 524.5	
35. Staff assessment	461 366.0	239.4	461 605.4	
Total	**1 503 829.7**	**6 137.7**	**1 509 967.4**	**14**

Table 2
Estimated additional requirements for the biennium 2008-2009 by object of expenditure
(Thousands of United States dollars)

Object of expenditure	*Initial appropriation*	*Additional requirements*	*Revised estimate*
Posts	781 541.0	1 206.0	782 747.0
Other staff costs	74 433.7	4 273.7	78 707.4
Non-staff compensation	0.2	—	0.2
Consultants and experts	977.2	—	977.2
Travel of representatives	14 715.0	—	14 715.0
Travel of staff	4 254.5	—	4 254.5
Contractual services	41 193.4	75.0	41 268.4
General operating expenses	50 824.4	244.9	51 069.3
Hospitality	156.5	—	156.5
Supplies and materials	13 056.2	7.0	13 063.2
Furniture and equipment	10 490.5	91.7	10 582.2
Grants and contributions	50 821.1	—	50 821.1
Other	461 366.0	239.4	461 605.4
Total	**1 503 829.7**	**6 137.7**	**1 509 967.4**

Table 3
Estimated distribution of posts for the biennium 2008-2009 by category

Category	*Initial establishment*	*Additional requirements*	*Revised estimate*
Professional and above			
USG	3	—	3
ASG	2	—	2
D-2	14	—	14
D-1	53	—	53
P-5	266	2	268
P-4/3	1 128	12	1 140
P-2/1	125	—	125
Subtotal	**1 591**	**14**	**1 605**
General Service			
Principal level	116	—	116
Other level	1 287	—	1 287
Subtotal	**1 403**	**—**	**1 403**
Other			
Local level	198	—	198
National Officer	45	—	45
Trades and Crafts	76	—	76
Subtotal	**319**	**—**	**319**
Total	**3 313**	**14**	**3 327**

Section 2. General Assembly and Economic and Social Council affairs and conference management

5. Under section 2, General Assembly and Economic and Social Council affairs and conference management, of the programme budget, the increase in the level of documentation arising from the requirements of the Human Rights Council has resulted in an increase of 26 per cent in the translation workload of the Conference Services Division of the United Nations Office at Geneva as compared with the previous biennium, and is also the main cause of the expected increase in the workload in editorial services and in the production of summary records.

6. In order to process the additional volume of 5,370 pages of documentation estimated in 2009 for the three sessions on the universal periodic review mechanism and to produce summary records for the additional 142 meetings, the language services of the Division would require: (a) two additional P-5 posts for Senior Revisers to deal with increased volume of documentation to be translated under contractual arrangements; (b) two P-4 Revisers and six P-3 Translators to augment the capacity of the English and French Translation Sections to cover the production of summary records for the additional 10 weeks of the sessions of the Human Rights Council (100 fully serviced meetings), the Committee on the Rights of Persons with Disabilities (20 meetings with summary records) and the Committee on Enforced Disappearances (22 meetings with summary records), as well as to deal with the summary records backlog (in 2009, this estimated workload would represent a total of 142 additional meetings requiring summary records); (c) three Editors (2 P-4 and 1 P-3), required to augment the capacity of the Division to meet the increased editorial workload; and (d) temporary assistance for meetings for documentation processing. In regard to the latter requirement for temporary assistance, an annual additional provision of $3,816,000 is required to handle work for which submission dates are not predictable, as well as to accommodate activities of the Council, which, given its entitlements, can be announced on short notice and may coincide with periods of heavy workload. The requirement also takes into consideration the resources needed to process the reports under the universal periodic review mechanism, which are submitted to the Council as official documents.

7. The additional resource requirements under this section would amount to $4,944,200 for the programme budget for the biennium 2008-2009. The requirements for the biennium 2010-2011, estimated at $11,851,500, will be considered in the context of the proposed programme budget for the biennium 2010-2011.

Section 23. Human rights

Office of the President of the Human Rights Council

8. Since the establishment of the Human Rights Council, the President of the Council has been supported by the staff of his/her own mission. In addition, in liaison and coordination with the Bureau of the Council, ad hoc support from diplomats from other missions on loan arrangements has been provided to the President when support was not available from his/her own mission.

9. As the Council is an intergovernmental body, the President is subject to election on the basis of regional rotation. The Council secretariat at OHCHR

provides comprehensive technical and substantive support to the President, his/her Bureau and the Council as a whole. Such support does not, however, extend to personal assistance functions relating to the scheduling and handling of bilateral political meetings.

10. In this connection, an independent office of the President would require two P-3 posts to serve as an interface between the Presidency and the secretariat, provide speaking notes, organize the non-official travel of the President, liaise with bureau members and manage the bilateral meetings of the President, and one General Service (Other level) post to serve as personal secretary to the President. These additional resources, amounting to $392,700, under general temporary assistance will be required under section 23, Human rights, of the programme budget for the biennium 2008-2009. The resource requirements for the biennium 2010-2011, estimated at $785,400, would be considered in the context of the proposed programme budget for that biennium.

Section 27. Public information

11. It will be recalled that, since the establishment of the Human Rights Council, various reports have been submitted to the General Assembly on ways and means to provide the Council with the required services, including the provision of webcasting and public information services.

12. With regard to the requirements for webcasting and public information services, it will be recalled that the Secretary-General outlined the programmatic and financial consequences of Human Rights Council decision 3/104 (see A/62/125). In that context, the Secretary-General indicated that resources amounting to $1,356,800 would be required under section 27, Public information, in the biennium 2008-2009, for the provision of press, radio, television and photographic coverage and webcast transmission, on a regular basis, for all regular and special sessions of the Council. By its resolution 62/238, the General Assembly endorsed the conclusions and recommendation of the Advisory Committee on Administrative and Budgetary Questions (see A/62/7 (Add.25)), whereby the Committee noted the additional activities proposed under section 27, as described in the report of the Secretary-General, and the pragmatic approach being taken to the requirement for webcasting for the Human Rights Council. However, taking into account the overall expenditure pattern under section 27 for the current biennium, the Committee was of the opinion that no net additional resource requirements should arise under section 27 for the biennium. Consequently, no additional appropriation was approved under section 27, Public information, of the programme budget for the biennium 2008-2009.

13. It will also be recalled that at the time of adoption of draft resolution A/C.3/62/L.84, entitled "Report of the Human Rights Council", the Secretary-General issued a statement of programme budget implications (A/C.5/62/12) informing the General Assembly that should the draft resolution be adopted, additional resources amounting to $353,700 would be required under section 27, Public information, in the biennium 2008-2009, to provide press, radio, television and photographic coverage and webcasting services in connection with the implementation of Human Rights Council resolution 5/1, entitled "Institution-building of the United Nations Human Rights Council". By its resolution 62/238,

the General Assembly did not approve the additional resources under section 27, Public information, of the programme budget for the biennium 2008-2009.

14. Against this backdrop, in order to implement the provisions of decision 9/103, it is estimated that additional requirements amounting to $221,900 would be required under section 27, Public information, of the programme budget for the biennium 2008-2009, which includes the proposed establishment of one P-3 post for a Radio and Television Producer. The related requirements would provide for press, radio, television and photographic coverage. For the biennium 2010-2011, the continuing requirements for press, radio, television and photographic coverage, estimated at $579,000, will be considered in the context of the proposed programme budget for 2010-2011.

15. With regard to webcasting services, additional provision in the amount of approximately $4,068,600 would be required under section 27, Public information, of the programme budget for 2010-2011.

Section 28E. Administration, Geneva

16. As detailed above, the implementation of Human Rights Council decision 9/103 would give rise to the establishment of 14 posts, comprising 13 posts under section 2, General Assembly and Economic and Social Council affairs and conference management, and 1 post under section 27, Public information. To provide accommodation and common support services in relation to the 14 proposed new posts, estimated additional resources amounting to $339,500 would be required in 2009 under section 28E, Administration, Geneva, comprising:

(a) A one-time requirement of $225,600 for accommodation, furnishing and office automation equipment and software;

(b) Recurrent requirements of $113,900 per year for rental of office space ($77,500), general operating expenses ($29,400) and office supplies and materials ($7,000).

17. The additional requirements of $339,500 would be required under the programme budget for the biennium 2008-2009. In addition, the recurrent requirements, estimated at $113,900, will be considered in the context of the proposed programme budget for 2010-2011.

Section 35. Staff assessment, and income section 1, Income from staff assessment

18. The proposals for new posts presented under sections 2, General Assembly and Economic and Social Council affairs and conference management, and 27, Public information ($167,800), and general temporary assistance under sections 23, Human rights, and 27, Public information ($71,600), for the biennium 2008-2009 give rise to additional requirements for staff assessment under section 35, Staff assessment, in the amount of $239,400, offset by a corresponding amount under income section 1, Income from staff assessment.